

## PREVENTION OF WATERFOWL DEPREDACTIONS

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JULY 15, 1959.—Ordered to be printed

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Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, submitted the following

## R E P O R T

[To accompany S. 2133]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2133) to amend the act of July 3, 1956 (70 Stat. 492), entitled "An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes," having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill would extend permanently the law providing for the use of surplus grain to prevent waterfowl depredation by repealing section 5 of the act, which provided that the program would be in effect for 3 years only.

The Department of Agriculture estimates that the average cost of the program for the last 3 years has amounted to about \$20,000 per year.

A fuller explanation is contained in the report from the Secretary of the Interior, which follows:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., June 1, 1959.*

Hon. RICHARD M. NIXON,  
*President, U.S. Senate,*  
*Washington, D.C.*

DEAR MR. PRESIDENT: Enclosed herewith is a draft of a proposed bill to amend the act of July 3, 1956 (70 Stat. 492), entitled "An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes."

We recommend that the proposed bill be referred to the appropriate committee for consideration, and that it be enacted.

This proposed legislation would repeal section 5 of the act of July 3, 1956, which authorized this Department to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations. Section 5 of the act limits operations thereunder to 3 years following enactment. As a result, operations under the act are due to expire on July 3, 1959. We believe that such operations should continue on the same basis now provided in the act. We feel that further changes should not be made in the 1956 act at this time. If future operations demonstrate the need for additional changes, we shall, of course, make recommendations accordingly to the Congress.

The 1956 act provides that, for the purpose of preventing crop damage by migratory waterfowl, the Commodity Credit Corporation shall make available to the Secretary of the Interior such wheat, corn, or other grains, acquired through price support operations, as may be certified by the Commodity Credit Corporation to be available for purposes of the act. The Secretary of the Interior is authorized to requisition grain to be used to lure migratory waterfowl away from crop depredations and at the same time not expose such migratory waterfowl to shooting over areas to which the waterfowl has been lured by such feeding programs. In our opinion, the 1956 act has accomplished its purpose during the time that it has been in operation.

Since there is a continuing need for grain to be used in depredation control work, we urge that the act be continued in effect and that the time limitation imposed by section 5 thereof be repealed. Since enactment of the 1956 act, this Department has requisitioned an average of 400 tons of grain annually. This grain has been used judiciously and in a manner that we feel is in the public interest in preventing and curtailing waterfowl crop damage. Although we have been reluctant to undertake this type of control, we find that under certain conditions waterfowl feeding programs constitute an effective means of preventing or controlling crop depredations caused by birds. Consequently, the use of grain that can be made available for this purpose is desirable when carried out under proper safeguards and consistently with good wildlife management practices.

We have been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

ROSS LEFFLER,  
*Assistant Secretary of the Interior.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

#### PUBLIC LAW 654, 84TH CONGRESS

AN ACT To authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of preventing crop damage by migratory waterfowl, the Commodity Credit

Corporation shall make available to the Secretary of the Interior such wheat, corn, or other grains, acquired through price support operations and certified by the Commodity Credit Corporation to be available for purposes of this Act or in such condition through spoilage or deterioration as not to be desirable for human consumption, as the Secretary of the Interior shall requisition pursuant to section 2 hereof. With respect to any grain thus made available, the Commodity Credit Corporation may pay packaging, transporting, handling, and other charges up to the time of delivery to one or more designated locations in each State.

SEC. 2. Upon a finding by the Secretary of the Interior that any area in the United States is threatened with damage to farmers' crops by migratory waterfowl, whether or not during the open season for such migratory waterfowl, the Secretary of the Interior is hereby authorized and directed to requisition from the Commodity Credit Corporation and to make available to Federal, State, or local governmental bodies or officials, or to private organizations or persons, such grain acquired by the Commodity Credit Corporation through price-support operations in such quantities and subject to such regulations as the Secretary determines will most effectively lure migratory waterfowl away from crop depredations and at the same time not expose such migratory waterfowl to shooting over areas to which the waterfowl have been lured by such feeding programs.

SEC. 3. With respect to all grain made available pursuant to section 2, the Commodity Credit Corporation shall be reimbursed by the Secretary of the Interior for its expenses in packaging and transporting such grain for purposes of this Act.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in the grain transferred pursuant to this Act.

[SEC. 5. No grain shall be made available by the Commodity Credit Corporation under this Act after the expiration of three years following its enactment.]

